

## Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

NOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /033 R

DRAFTED BY EB/OA/AVP:AJWHITE:JO

APPROVED BY EB/OA/AVP:AJWHITE

EB/EWT - GBAUTIN (DRAFT)

FAA - CARY (SUBS)

COMMERCE - EKIHL (SUBS)

EUR/EE - ATHOMPSON (SUBS)

EB/OA/AVP - JSRAVATT

----- 047599

R 290023Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW

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E.O. 11652: N/A

TAGS: EAIR, PO

SUBJECT: U.S.-POLISH DISCUSSION ON AIRWORTHINESS AGREEMENT

1. U.S. OFFICIALS (STATE, FAA AND COMMERCE) MET WITH VISITING POLISH DELEGATION SEPTEMBER 15-17 TO DISCUSS AIRWORTHINESS AGREEMENT. POLISH SIDE LED OFF WITH FAMILIAR LITANY OF UNHAPPINESS WITH U.S. SIDE OF ANNEX. WE RESPONDED THAT EMBASSY WARSAW HAD INFORMED US THE PREVIOUS WEEK THAT THIS IS NO LONGER ISSUE WITH POLISH GOVERNMENT AND WE SAW NO POINT IN OPENING IT AGAIN. WHILE POLISH SIDE CONTINUED IN COURSE OF TALKS TO COMPLAIN ABOUT U.S. SIDE OF ANNEX, POLES MADE NO SERIOUS ATTEMPT TO LIMIT U.S. SIDE OF ANNEX TO SPECIFIC PRODUCTS. WE REMINDED THEM THAT IN ANY CASE PRACTICAL EFFECT OF PROPOSED AGREEMENT WOULD GIVE POLES SPECIFIC SALES OPPORTUNITIES IN THE U.S., WHILE THERE WERE NO CONCRETE

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SALES PROSPECTS FOR U.S. AIRCRAFT IN POLAND ON THE

HORIZON.

2. CHIEF ISSUE IN DISCUSSIONS RELATED TO REVISED U.S. DRAFT AGREEMENT WHICH WOULD PERMIT ONLY PRODUCTS AND COMPONENTS PRODUCED IN POLAND TO BE COVERED BY AGREEMENT. POLES OBJECTED PARTICULARLY TO U.S. PROPOSED PARA 8(F). IN THIS CONNECTION WE ASKED POLES TO CLARIFY SITUATION

WITH REGARD TO SOVIET PARTS. THEY RESPONDED THAT THEY WOULD HAVE TO CONTINUE TO RELY ON SOVIET CARBURETORS FOR TWO YEARS, WHILE THEY WOULD HAVE TO RELY ON SOVIET MAGNETOS FOR IGNITIONS FOR AN INDEFINITE PERIOD. WE EXPLAINED AT LENGTH TO POLES WHY PARTS FROM THIRD COUNTRIES, SUCH AS SOVIET UNION, CREATE SERIOUS PROBLEMS FOR FAA FROM AIRWORTHINESS STANDPOINT. PARTS COMING FROM COUNTRIES WHICH THE U.S. HAS RELEVANT AIRWORTHINESS BILATERALS WOULD NOT BE A PROBLEM SINCE U.S. IS IN POSITION TO INSURE ADEQUATE QUALITY CONTROL IN MANUFACTURING PROCESS IN THESE COUNTRIES. HOWEVER, PARTS COMING FROM COUNTRIES WHICH THE U.S. DOES NOT HAVE RELEVANT BILATERAL AGREEMENTS, SUCH AS THE SOVIET UNION, ARE ANOTHER MATTER, AND THE U.S. WOULD HAVE TO INSIST ON ADEQUATE QUALITY CONTROL TO MEET FAA REQUIREMENTS. WE SUGGESTED AMENDMENT TO PARA 8(F) OF AGREEMENT SO THAT POLES COULD USE PARTS FROM COUNTRIES WITH WHICH THE U.S. HAS RELEVANT AIRWORTHINESS BILATERALS, BUT THAT PARTS FROM THIRD COUNTRIES NOT HAVING SUCH AGREEMENTS WITH THE U.S. COULD NOT BE ACCEPTED, EXCEPT THAT WE WOULD CONSIDER EXCEPTIONS ON A CASE-BY-CASE BASIS. WE REITERATED TO POLES SEVERAL TIMES DURING DISCUSSIONS (AND AFTERWARDS TO ECON COUNSELOR SOLDACZUK) THAT WHILE FAA WOULD CONSIDER ACCEPTING PARTS FROM THIRD COUNTRIES WITHOUT BILATERAL AIRWORTHINESS AGREEMENTS WITH THE U.S. ON CASE-BY-CASE BASIS, THERE COULD BE NO ASSURANCE OR GUARANTEE THAT IT WOULD IN FACT BE ABLE TO APPROVE THE USE OF ANY SUCH PARTS. POLES ACKNOWLEDGED THIS AND ACCEPTED MODIFIED U.S. LANGUAGE ON PARA 8(F).

3. SECOND MAJOR ISSUE THAT GAVE POLES PROBLEMS RELATED TO LIGHT AIRCRAFT AS DEFINED IN SECTION C OF POLISH LIMITED OFFICIAL USE

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SIDE OF ANNEX AND THEIR CONCERN THAT U.S. PROHIBITION ON AIRCRAFT DESIGNED OUTSIDE POLAND WOULD BE SEVERE IMPEDIMENT, SINCE ALL OR MOST LIGHT AIRCRAFT PRODUCED IN POLAND WOULD BE OF FOREIGN DESIGN. WE EXPLAINED TO POLES THAT OUR SAFETY PROBLEM ON AIRCRAFT DESIGNED IN THIRD COUNTRIES WITH WHICH WE DO NOT HAVE BILATERALS IS SIMILAR TO OUR CONCERN RELATING TO PARTS, ONLY MORE SO. WE SUGGESTED AMENDING SECTION C TO PROVIDE THAT AIRCRAFT

PRODUCED IN POLAND COULD BE DESIGNED IN POLAND OR, U.S.  
OR ANY COUNTRY WITH WHICH THE U.S. HAS AIRWORTHINESS  
BILATERAL COVERING SUCH AIRCRAFT PROVIDED RESPONSIBILITY  
FOR DESIGN CONTROL EXISTS IN POLAND. POLES ACCEPTED  
THIS LANGUAGE.

4. POLES THEN MADE STRONG PITCH FOR EXCHANGE OF LETTERS  
OR OTHER FORM OF SIDE UNDERSTANDING TO EFFECT THAT FAA  
WOULD CONDUCT INSPECTION OF POLISH HELICOPTER PRODUCTION

FACILITIES IN FOURTH QUARTER OF THIS YEAR, AND TURBINE  
ENGINES IN FIRST HALF OF NEXT YEAR. WE EXPLAINED TO  
POLES THAT WE COULD NOT UNDERTAKE A UNILATERAL COMMITMENT  
THAT FAA WOULD INSPECT ADDITIONAL FACILITIES WITHIN ANY  
TIME FRAME. BEST WE COULD OFFER WOULD BE LETTER FROM  
FAA ASSISTANT ADMINISTRATOR FOR INTERNATIONAL AFFAIRS  
(CARY) TO THE POLISH COUNTERPART MISIOREK INDICATING IN  
GENERAL TERMS THAT FAA, IN KEEPING WITH ITS PROCEDURES  
AND REGULATIONS, WOULD BE PREPARED TO EXAMINE THE  
AIRWORTHINESS STANDARDS PERTAINING TO ADDITIONAL  
AERONAUTICAL PRODUCTS, DEPENDING ON MANPOWER AVAILABILITY  
AND PROVIDED THERE WAS CLEAR EVIDENCE THAT THE PRODUCT  
WOULD BE IMPORTED INTO THE U.S. POLES PRESSED HARD FOR  
SPECIFIC MENTION OF HELICOPTERS, BUT WE INDICATED  
LETTER WOULD HAVE TO BE IN GENERAL TERMS. WE ALSO  
REJECTED AN EXCHANGE OF LETTERS, AS THIS MIGHT GIVE  
IMPRESSION OF SIDE AGREEMENT AND A UNILATERAL U.S.  
COMMITMENT. FINALLY, POLES ASKED IF WE WOULD NOTE FOR  
THE RECORD THEIR INTEREST IN HAVING EARLY FAA INSPECTION  
OF HELICOPTERS AND TURBINE ENGINE CAPABILITIES. WE  
AGREED THAT WE WOULD NOTE THIS FOR THE RECORD.

5. ON BASIS OF ABOVE MODIFICATIONS, POLES INDICATED  
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THAT THEY COULD ACCEPT AGREEMENT. CLEARED DRAFT U.S.  
NOTE TO POLISH AMBASSADOR TOGETHER WITH UNSIGNED COPY  
CARY LETTER WERE FORWARDED TO POLISH EMBASSY LATE LAST  
WEEK. WE ARE NOW WAITING FOR FORMAL POLISH ACCEPTANCE  
OF TEXT, SO THAT EXCHANGE OF NOTES CAN BE EFFECTED IN  
WASHINGTON. CARY LETTER WILL THEN BE FORWARDED TO  
POLISH AUTHORITIES. COPIES OF THESE DOCUMENTS WILL BE  
POUCHED TO EMBASSY.

6. EMBASSY WILL BE NOTIFIED PROMPTLY OF POLISH RESPONSE.  
ROBINSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AVIATION AGREEMENTS, MEETING DELEGATIONS, AIRCRAFT SALES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** coburnhl  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE241485  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** AJWHITE:JO  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760368-0199  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t1976097/aaaaafjn.tel  
**Line Count:** 165  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** coburnhl  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 05 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <05 MAY 2004 by greeneet>; APPROVED <26 AUG 2004 by coburnhl>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** U.S.-POLISH DISCUSSION ON AIRWORTHINESS AGREEMENT  
**TAGS:** EAIR, PL, US  
**To:** WARSAW  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006